

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Defendant/Counterclaimant, DIGITAL
3 GADGETS, LLC will and hereby does move this Court for an order dismissing this
4 matter for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) (the
5 “Motion”).

6 This Motion is based on this Notice of Motion, the Memorandum of Points and
7 Authorities filed concurrently herewith, the Declaration of Harlan M. Lazarus, the
8 papers and pleadings on file herein, and upon such other evidence and argument as may
9 be presented prior to or at the hearing (should the Court schedule a hearing) of this
10 Motion.

11 This Motion is made following the conference of counsel pursuant to L.R. 7-3,
12 which took place by telephone on June 13, 2019. (Lazarus Decl. ¶ 6.)

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15 Dated: July 1, 2019

LAZARUS AND LAZARUS, P.C.

16 By: /s/ Harlan M. Lazarus

17 HARLAN M. LAZARUS, ESQ.

18 Attorneys for Defendant/Counter-
19 claimant, **DIGITAL GADGETS, LLC**
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